

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	CHAPTER 11
)	(Jointly Administered)
W.R. GRACE & CO., <i>et al.</i> ,)	
)	Case No. 01-01139 (JKF)
Debtors.)	
_____)	Re: Docket No. 21409

STATEMENT OF ISSUES TO BE PRESENTED ON APPEAL

Pursuant to Rule 8006, Fed.R.Bankr.P., Claimant Anderson Memorial Hospital respectfully submits its Statement of Issues to Be Presented on Appeal, in its appeal from the judgment and order of the bankruptcy judge granting the Debtors' Objection to Anderson Memorial Hospital's Zonolite Attic Insulation Class Proof of Claim dated April 27, 2009 (Docket No. 21406).

Statement of Issues to Be Presented

A. Whether the Bankruptcy Court erred in refusing to recognize the pre-petition Certification Order of the South Carolina Circuit Court which included Zonolite Attic Insulation claims, entered after nine years of pre-petition litigation, which certified a statewide class of asbestos property damage claimants including Zonolite Attic Insulation claimants, against W.R. Grace & Co.

B. Whether the Bankruptcy Court erred in expunging the class proof of claim filed by Anderson Memorial Hospital, presumably on issue or claim preclusion grounds without briefing or a hearing.

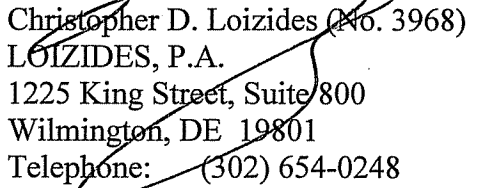
C. Whether the Bankruptcy Court's presumed reliance upon the doctrines of issue or claim preclusion in expunging Anderson Memorial Hospital's class proof of claim was error.

D. Whether the Bankruptcy Court erred in issuing the underlying Order issued on May 29, 2008 denying class certification to Anderson Memorial Hospital. Anderson incorporates by reference Dk. 2 to District Court Case No. 1:08-cv-00431-RLB for the District of Delaware.

E. Whether the Bankruptcy Court's Order dismissing Anderson Memorial Hospital's class proof of claim is discriminatory in that it resulted in different treatment with respect to Anderson's class claim than other Zonolite Attic Insulation class claimants.

F. Whether, in reliance on the erroneous denial of Anderson Memorial Hospital's Motion for Class Certification, the Bankruptcy Court erred in disallowing or reducing to zero the class proofs of claim (claim Nos. 9911 and 9914) filed by Anderson Memorial Hospital.

DATED: May 6, 2009



Christopher D. Loizides (No. 3968)
LOIZIDES, P.A.
1225 King Street, Suite 800
Wilmington, DE 19801
Telephone: (302) 654-0248
Facsimile: (302) 654-0728
E-mail: loizides@loizides.com

Daniel A. Speights (SC Fed. ID No. 4252)
C. Alan Runyan (SC Fed ID No. 3683)
SPEIGHTS & RUNYAN
200 Jackson Avenue East
Post Office Box 685
Hampton, SC 29924
Telephone: (803) 943-4444
Facsimile: (803) 943-4599

-and-

John W. Kozyak (FL Bar No. 200395)
David L. Rosendorf (FL Bar No. 996823)
KOZYAK TROPIN & THROCKMORTON
2525 Ponce de Leon, 9th Floor
Coral Gables, FL 33134
Telephone: (305) 372-1800
Facsimile: (305) 372-3508

Counsel for Anderson Memorial Hospital